REMARKS

Claims 1-6, 8-15, 17-24, 26-28, 30-35, 27-42, and 44-48 remain pending in the application. Reconsideration of the present case is earnestly requested in light of the following remarks.

Section 103(a) Rejection:

The Examiner rejected claims 1-6, 8-15, 17-24, 26-28, 30-35, 37-42 and 44-48 under 35 U.S.C. § 103(a) as being unpatentable over Lakritz (U.S. Patent 6,623,529) in view of Hamann (U.S. Patent 6,092,036). Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 1, Lakritz in view of Hamann fails to teach or suggest creating a first file including a translation of said one or more localizable strings, wherein said creating said first file comprises receiving input from a user specifying a translation of at least one of said one or more localizable strings within said at least one token. The Examiner admits that Lakritz fails to disclose "receiving input from a user specifying a translation of at least one of said one or more localizable strings" and relies on Hamann (column 6, lines 48-61) for this teaching. More specifically, the Examiner asserts: "However, Hamann teaches the user is able to input a string in a source language and a string of text translated into the target language". Applicant notes that Lakritz's system already allows the user to modify or add translation terms to the User-Defined TermDB. As argued in the previous responses, the ability to add terms to a database of translations does not teach or suggest the limitation recited above. The database only allows terms to be defined for later translations (not the current translation). Hamann similarly allows the user to define a translation table for a specific locality:

> In one example, the application text translation tables **40** are created and/or modified with the translation table builder **18** as the application program **24** to be translated is loaded. As each application text item is displayed by the application program **24**, the user enters the corresponding

translation for that application text item in the window of the text editor **80**. The text editor **80** preferably requests the insertion of two lines of text, one line of application text in the source language and a second line of application text translated in the target language.

If an application text translation table **40** has been imported for the application program **24**, the source language application text **42** and target language application text **44** should appear in the text editor **80** as the application program **24** is loaded. The user can then modify and/or add to the target language text using the text editor **80** if necessary. Once the translations are completed for an application program **24**, the application program **24** is closed and reloaded, and the target language application text **44** is displayed in place of the source language application text **42**, provided the translation configuration settings **22** are set to a locality for that particular target language.

Thus, Hamann teaches a method for creating or modifying translation tables **for later use** ("Once the translations are completed for an application program 24, the application program 24 is closed and reloaded"), **not as part of creating the file**. Similar to arguments presented in the Applicants' previous responses regarding Lakritz's user defined terms, the translation table of Hamann is used for later translation of applications. Applicants assert that adding, modifying, or deleting terms from a user-defined dictionary for later use fails to disclose **creating** a first file including a translation of said one or more localizable strings, wherein **said creating said first file comprises** receiving input from a user specifying a translation of at least one of said one or more localizable strings. Hamann's only benefit over the previously disclosed user defined DB of Lakritz is the ability to load terms of an application into the database for the user. As one skilled in the art understands, loading terms in a language database does not teach or suggest the creation of the first file for merging with non-localizable data as recited in claim 1. Furthermore, the application text (e.g., the text of the menus) being translated in Hamann are not localizable strings as required by claim 1. Thus, Applicants assert that Lakritz in view of Hamann fails to teach or suggest this feature.

Lakritz describes a system which provides web sites to users in a plurality of languages without requiring maintenance of each of the different versions of the web site. Hamann, on the other hand, relates to a method for translating text in applications to target languages. Applicants assert that the combination of these two inventions would

not result in the claimed invention. At most, the combination (even if proper) of Lakritz and Hamann would yield an application, such as a web browser, which can display text (e.g., the menu text or help file text) of the application in a target language and display web pages according to the template system of Lakritz. Said another way, Hamann does not relate to the markup language described in Lakritz and instead is specifically directed towards internally programmed application text. Additionally, Lakritz is directed towards a system for seamlessly and efficiently providing translated webpages to the user; requiring user input for each translation from the user would counteract this provision of webpages. Thus, for at least the reasons above, the proposed combination would not yield the invention recited in claim 1.

With further regard to claim 1, The Examiner has failed to provide a proper motivation to combine Lakritz and Hamann. Instead, the Examiner's provided motivation "to increase the efficiency of the system by allowing a user to modify and/or a translation to a target text" only identifies a presumed benefit of Hamann without addressing the specific combination of the two references. As the Examiner is certainly aware, as held by the U.S. Court of Appeals for the Federal Circuit *in Ecolochem Inc. v. Southern California Edison Co.*, an obviousness claim that lacks evidence of a suggestion or motivation for one of skill in the art to combine prior art references to produce the claimed invention is defective as hindsight analysis. In addition, the showing of a suggestion, teaching, or motivation to combine prior teachings "**must be clear and particular**…Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence'." *In re Dembiczak*, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999). **The art must fairly teach or suggest to one to make the specific combination as claimed.** That one achieves an improved result by making such a combination is no more than **hindsight without an initial suggestion to make the combination** (emphasis added). Applicants assert that the Examiner's provided motivation only identifies an element of the method disclosed by Hamann—the simple fact that the Hamann allows the user to define terms in a term database in no way suggests the proposed combination. Additionally, the motivation, *improve efficiency*, is too general because it could cover almost any alteration contemplated of Lakritz and does

not address why this **specific** proposed modification would have been obvious. There is nothing in the art of record that would suggest receiving user input specifying a translation of one of the one or more localizable strings. Finally, although Hamann teaches user supplied translations of applications content in a user defined database, there is no suggestion, other than applicant's disclosure, to employ this scheme in the teachings of Lakritz. Thus, the rejection is improper.

For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 10, 19, 28, 35 and 42 as well.

Regarding claim 28, Lakritz fails to disclose prompting a user for confirmation of said identifying said one or more localizable strings. Regarding this feature, the Examiner cites sections of Lakritz where the user may define or modify a User-Defined TermDB. Applicants assert that creating or modifying a user dictionary is not pertinent to prompting a user for confirmation of said identifying said one or more localizable strings. Those skilled in the art of understand that defining a dictionary is clearly not prompting a user for confirmation of identified localizable strings of an identified token in a markup language document. Thus, for at least the reasons above, Applicants assert that Lakritz fails to disclose this feature of claim 28. Therefore, the rejection of claim 28 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 35 and 42 as well.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90300/RCK.

Also enclosed herewith are the following items:

☐ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

/Robert C. Kowert/
Robert C. Kowert, Reg. #39,255
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